

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-179)

In the Application of:)
Rowe et al.)
Serial No.: 09/786,253)
Filing Date: March 2, 2001)
For: Control of Acidosis)
Examiner: Not yet assigned
Group Art Unit: Not yet Assigned

TRANSMITTAL LETTER

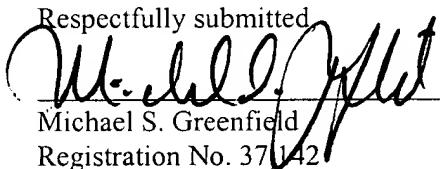
BOX PCT
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) Petition for Extension of Time;
 - b) copy of Notice to File Missing Requirements;
 - c) Response to Notice to File Missing Requirements;
 - d) Declaration and Power of Attorney;
 - e) copy of Notice to Comply;
 - f) Response to Notice to Comply;
 - g) Sequence Listing in paper and computer disk formats;
 - h) Appendix A: two (2) Page 46 of Specification (1-redlined, 1-clean); and
 - i) return receipt postcard.
2. With respect to fees:
 - a) A check in the amount of \$520.00 is enclosed.
 - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on August 9, 2001.

Respectfully submitted


Michael S. Greenfield
Registration No. 37142

Date: August 9, 2001

PTO/PCT Rec'd 15 AUG 2001
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-179)

In the Application of:)
Rowe et al.)
Serial No.: 09/786,253) Examiner: Not yet assigned
Filing Date: March 2, 2001) Group Art Unit: Not yet Assigned
For: Control of Acidosis)

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In Response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) mailed on April 9, 2001, Applicants submit a Combined Declaration And Power Of Attorney For Patent Application, and surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

This Response is being submitted within the second month after the time period set for reply pursuant to 37 C.F.R. § 1.136 (a), a petition and the fee set forth in § 1.17 (a) are enclosed. Any additional fee which may be due or any other charges in connection with the submission of this response should be charged to Deposit Account No. 13-2490.

If there are any questions or comments regarding this Response or application, the

Examiner is encouraged to contact the undersigned attorney as indicated below.

08/17/2001 UEDUVIJE 00000045 09786253

01 FC:154

+\$30.00 OP

Date: August 9, 2001

Adjustment date: 05/01/2002 UEDUVIJE

08/17/2001 UEDUVIJE 00000045 09786253

01 FC:154

-\$30.00 OP

Telephone: 312-913-0001

Faxsimile: 312-913-0002

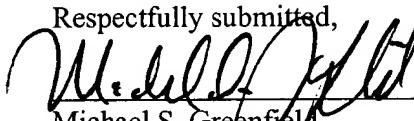
05/01/2002 UEDUVIJE 00000007 09786253

01 FC:254

65.00 OP

Repln. Ref: 05/01/2002 UEDUVIJE 0015292200
DAB:132490 Name/Number:09786253
FC: 704 \$65.00 CR

Respectfully submitted,



Michael S. Greenfield

Registration No. 37142

McDonnell Boehnen Hulbert & Berghoff

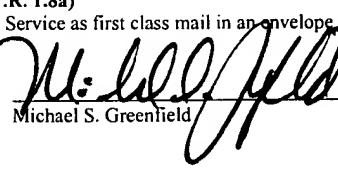
300 South Wacker Drive, 32nd Floor

Chicago, IL 60606

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington D.C. 20231, on August 9, 2001.

Date: August 9, 2001



Michael S. Greenfield

UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/786253	ROWE	J 01-179
INTERNATIONAL APPLICATION NO.		
PCT/AU00/00805		
I.A. FILING DATE	PRIORITY DATE	
03 JUL 00	02 JUL 99	

DATE MAILED: *12 APR 2001*

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
 DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: _____

APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
 CALL:

- (703) 308-4216, for Rules interpretation,
- (703) 308-4212, for CRF submission help,
- (703) 287-0200, for PatentIn software help.

Paulette Kidwell, Paralegal

Telephone: 703-305-3656

FORM PCT/DO/EO/920 (March 2001)

DOCKETED

APR 12 2001

DUE DATE: *6/19/01*
 BY: *K.B. KWD*



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/786253	ROWE	J
		01-179
		INTERNATIONAL APPLICATION NO.
		PCT/AU00/00805
		I.A. FILING DATE
		03 JUL 00
		PRIORITY DATE
		02 JUL 99

DATE MAILED: 09 APR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.
- Copy of the international application.
- Oath or Declaration of inventors(s).
- Copy of Article 19 amendments.
- Priority Document.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- U.S. Basic National Fee.
- Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875 PCT/DO/EO/920

Paulette Kidwell, Paralegal

Telephone: 703-305-3656

FORM PCT/DO/EO/905 (March 2001)

DOCKETED

APR 12 2001

DUE DATE: 6/9/01
 BY: K. B. [Signature]